

10/732,848  
END5006USNPRemarksStatus of Claims:

Claims 1-7 and 28-33, 35-37, and 39 were rejected. Claims 34 and 38 were objected to, but indicated as being allowable if rewritten in independent form to incorporate the limitations of the base claim(s). In this response, Claims 1, 32, 33, 34, and 35 are amended, and Claim 3 is cancelled. Claim 40 is added. Claims 1-2, 4-7, and 28-40 remain pending.

Claim 1 is amended to recite the language of dependent claim 3 and dependent claim 34, and to recite the distal end of the cutter. Claim 32 is amended to recite the language of dependent claim 37 and dependent claim 38. New claim 40 is added and recites a fluid driven piston operatively associated with the cutter for advancing the distal end of the cutter, and a non-pneumatic mechanism operatively associated with the cutter. Support for the amendments is found in the specification and drawings, as filed. No new matter is added.

The Examiner's indication is allowable subject matter is appreciated, and the claims are amended to further allowance of the claims. The Applicant respectfully traverses the Examiner's rejections, and the amendments in the response are made without prejudice to the Applicant filing one or more continuation applications with claims as originally filed or as previously presented.

Conclusion

Based on the foregoing, all pending claims are in a condition for allowance. Accordingly, Applicant respectfully requests reconsideration and an early notice of allowance.

Respectfully submitted,

/Gerry Gressel/  
Gerry Gressel, Reg. No. 34,342

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(513) 337-3535